

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:16-cv-03088-
	)	ELR
STATE OF GEORGIA,	)	
	)	
Defendant.	)	
	)	

**MEMORANDUM IN SUPPORT OF THE PARTIES’ JOINT MOTION FOR  
LEAVE TO EXCEED LOCAL RULE 7.1(D) PAGE LIMITS**

Plaintiff United States of America (“United States”) and Defendant State of Georgia (“State”) (collectively, the “Parties”) seek leave of the Court to file briefs related to their motions for summary judgment that exceed the page limits set forth in Local Rule 7.1(D).

The Court permits parties to request an extension of the LR 7.1(D) page limits for briefs when the request is made at least five days in advance of the filing deadline and “explain[s] with specificity the reasons necessitating the extension.” *See* Instructions for Cases Assigned to the Honorable Eleanor L. Ross at 4, *available at*



[https://www.gand.uscourts.gov/sites/gand/files/ELR\\_CV\\_Instructions.pdf](https://www.gand.uscourts.gov/sites/gand/files/ELR_CV_Instructions.pdf). The Court has broad discretion to grant a party's request for an extension of the page limit when good cause is shown. *See ThermoLife Int'l, LLC v. Hi-Tech Pharm., Inc.*, No. 1:15-cv-00892, 2020 WL 9601784, at \*1 (N.D. Ga. Nov. 3, 2020) (granting plaintiff's request to file a 44-page memorandum when plaintiff established that additional pages were necessary to comply with the procedural requirements of a local rule); *Praetorian Ins. Co. v. Collins*, 1:16-cv-00306, 2018 WL 8263074, at \*1 n.2 (N.D. Ga. May 9, 2018) (granting Plaintiff's motion to exceed the page limit for good cause shown and in the absence of opposition); *see also Holiday Hospitality Franchising LLC v. J&W Lodging, LLC*, 1:17-cv-01663, 2019 WL 3334614 at \*2 n.1 (N.D. Ga. Mar. 7, 2019); *Levine v. Georgia Alloy, LLC*, 1:18-cv-03674, 2019 WL 13411968, at \*1 n.1 (N.D. Ga. Jan. 28, 2019).

Due to the complexity of this statewide litigation brought under Title II of the Americans with Disabilities Act, the Parties request an extension of the 25-page limit for briefs filed in support of, or in opposition to, motions for summary judgment and the 15-page limit for reply briefs set forth in LR 7.1(D). The parties have spent more than three years conducting discovery in this litigation, which involves the activities of at least three state agencies. The factual record in this case includes deposition testimony of more than 40



witnesses, nearly 1,000 deposition exhibits, and millions of pages of documents exchanged by the Parties during the course of fact discovery. The Parties expect to rely on this evidence extensively in their individual efforts to demonstrate their entitlement to summary judgment. To that end, the Parties seek permission to exceed generally-applicable page limits to ensure that they have adequate space to lay out their positions, provide all necessary evidentiary support, and comply with the Court's Civil Court Instructions requiring parties to include all citations to the record evidence in their briefs. *See Instructions for Cases Assigned to the Honorable Eleanor L. Ross at 7.* Specifically, the Parties request permission to exceed the page limits: (1) by no more than 25 pages, or 50 pages total, for briefs filed in support of or in opposition to their motions for summary judgment and (2) by no more than eight pages, or 23 pages total, for any reply briefs filed in further support of the motions.

### **CONCLUSION**

For the foregoing reasons, the Parties respectfully request that the Court grant their joint motion for leave to file briefs in support of their motions for summary judgment in excess of the LR 7.1(D) page limits.

Dated: September 15, 2023

Respectfully submitted:



Christopher M. Carr  
*Attorney General*  
Georgia Bar No. 112505  
Bryan Webb  
*Deputy Attorney General*  
Georgia Bar No. 743580  
Russell D. Willard  
*Senior Assistant Attorney General*  
Georgia Bar No. 760280  
Susan R. Haynes  
*Assistant Attorney General*  
Georgia Bar No. 901269

Office of the Attorney General  
40 Capitol Square, S.W.  
Atlanta, Georgia 30334  
Telephone: (404) 656-3357

/s/ Josh Belinfante  
Josh Belinfante  
Georgia Bar No. 047399  
jbelinfante@robbinsfirm.com  
Melanie Johnson  
Georgia Bar No. 466756  
mjohnson@robbinsfirm.com  
Edward Bedard  
Georgia Bar No. 926148  
ebedard@robbinsfirm.com  
Danielle Hernandez  
Georgia Bar No. 736830  
dhernandez@robbinsfirm.com  
Javier Pico Prats  
Georgia Bar No. 664717  
javier.picoprats@robbinsfirm.com  
Anna Nicole Edmondson  
Georgia Bar No. 289667

RYAN K. BUCHANAN  
United States Attorney  
Northern District of Georgia

/s/ Aileen Bell Hughes  
AILEEN BELL HUGHES  
GA Bar Number: 375505  
Assistant United States Attorney

United States Department of Justice  
Richard B. Russell Federal Building  
75 Ted Turner Dr. SW  
Suite 600  
Atlanta, GA 30303-3309  
(404) 581.6000  
aileen.bell.hughes@usdoj.gov

SHAHEENA A. SIMONS  
Chief  
Educational Opportunities Section

KELLY GARDNER WOMACK  
Deputy Chief  
Educational Opportunities Section

ANDREA HAMILTON WATSON  
Special Litigation Counsel

CRYSTAL ADAMS  
CLAIRE CHEVRIER  
FRANCES COHEN  
MATTHEW GILLESPIE  
PATRICK HOLKINS  
VICTORIA M. LILL  
JESSICA POLANSKY  
LAURA C. TAYLOE  
MICHELLE L. TUCKER



aedmondson@robbinsfirm.com  
Robbins Alloy Belinfante Littlefield  
LLC  
Atlanta, GA 30318  
Telephone: (678) 701-9381  
Facsimile: (404) 856-3255

Alexa R. Ross  
Georgia Bar No. 614986  
alexaross@icloud.com  
AlexaRossLaw, LLC  
2657 Danforth Lane  
Decatur, Georgia 30033

Special Assistant Attorneys General

*Attorneys for Defendants*

Trial Attorneys  
United States Department of Justice  
Civil Rights Division

/s/ Kelly Gardner Womack  
United States Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
(202) 514-4092  
kelly.gardner@usdoj.gov

*Attorneys for Plaintiff*



**L.R. 7.1(D) CERTIFICATION**

I certify that this brief has been prepared with one of the font and point selections approved by the Court in Local Rule 5.1(C). Specifically, this brief has been prepared using 14-pt Times New Roman Font.

/s/ Aileen Bell Hughes  
AILEEN BELL HUGHES  
ASSISTANT U.S. ATTORNEY



**CERTIFICATE OF SERVICE**

I hereby certify that I have this day filed the foregoing document with the Clerk of Court using the CM/ECF system, which automatically sent counsel of record e-mail notification of such filing.

This 15<sup>th</sup> day of September, 2023.

/s/ Aileen Bell Hughes  
AILEEN BELL HUGHES  
ASSISTANT U.S. ATTORNEY